

FILED

AUG 16 2018

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY MAJ DEP CLK

NO. 5:18-CR-328-1BO

UNITED STATES OF AMERICA)
)
 v.) INFORMATION
)
 ALESSANDRO CANNIZZARO)
)

The United States Attorney charges that:

General Allegations

At all times relevant to this Information:

1. The Immigration and Nationality Act (INA) governs the immigration laws of the United States.
2. The term "alien" means any person not a citizen or national of the United States.
3. Pursuant to the INA, aliens are not permitted to permanently reside in the United States unless they are lawful permanent residents.
4. The defendant, ALESSANDRO CANNIZZARO, was an alien born in Gela, Caltanissetta, Italy.
5. On July 21, 1985, the defendant, ALESSANDRO CANNIZZARO, was granted lawful permanent resident status at the time he entered the United States, at New York, New York pursuant to the INA.

6. On October 3, 2003 the defendant, ALESSANDRO CANNIZZARO filed an application for naturalization as a United States citizen. On March 9, 2007, his application for naturalization was denied.

7. Since March 9, 2007, the defendant, ALESSANDRO CANNIZZARO, has neither applied for United States citizenship, been naturalized as a United States citizen, nor has met the criteria for derivation of United States citizenship.

8. On May 8, 2008, the defendant, ALESSANDRO CANNIZZARO, registered to vote in North Carolina and attested under the penalty of perjury that he was a citizen of the United States.

9. The defendant, ALESSANDRO CANNIZZARO, was assigned a polling place located in Wake County, North Carolina.

10. The statute of limitations for false claim of citizenship with the intent to vote is five years.

11. The defendant, ALESSANDRO CANNIZZARO, voted in the General Election of 2016 in Wake County, North Carolina.

12. Wake County is located in the Eastern District of North Carolina.

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COUNT ONE

On or about November 8, 2016, in the Eastern District of North Carolina, the defendant, ALESSANDRO CANNIZZARO, an alien, knowing he was not a United States citizen, did knowingly vote in an election held in part for the purpose of electing a candidate for the office of President, Vice President, and Member of the House of Representatives, in violation of Title 18, United States Code, Section 611(a).

ROBERT J. HIGDON, JR.
United States Attorney

Sebastian Kielmanovich
BY: SEBASTIAN KIELMANOVICH
Assistant United States Attorney

8-15-2018
DATE

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

AFFIDAVIT

BACKGROUND

1. I, Jahaira Torrens (hereinafter "your affiant"), am a Special Agent (S/A) of the Department of Homeland Security (DHS), under Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), formerly known as the Immigration and Naturalization Service (INS). Previous to my appointment as an ICE-HSI S/A, I was a Detective with the Puerto Rico Police Department for approximately fifteen years. As part of my duties I conducted investigations related to controlled substances trafficking, identity theft, public corruption, violent crimes, and other violations. I have been a S/A with the federal government for approximately nine years. I am currently assigned to the ICE-HSI Resident Agent in Charge, Raleigh, North Carolina Field Office (ICE-HSI RAC/RA). I have training and experience in the application for and service of arrest and search warrants. My duties routinely include the investigation of violations of Titles 8, 18, 19, 21, and 31 of the United States Code.

2. This affidavit is made in support of a criminal information against Alessandro Cannizzaro (hereinafter "CANNIZZARO") for voting by alien, in violation of Title 18, United States Code, Section 611(a).

3. This affidavit is submitted for the limited purpose of establishing probable cause that CANNIZZARO committed the offense of voting by alien, in violation of Title 18, United States Code, Section 611(a). For this reason, your affiant has not included details of every aspect of this investigation, rather only such information as necessary. Your affiant is thoroughly familiar with the information contained in this affidavit, either through personal investigation or discussions with other law enforcement officers who have interviewed individuals or personally have obtained information which they in turn have reported to your affiant.

PROBABLE CAUSE

4. Government databases reflect the following information relative to CANNIZZARO:

- a. CANNIZZARO is an alien born in Gela, Caltanissetta, Italy.
- b. On July 21, 1985, CANNIZZARO was granted lawful permanent resident status at the time he entered the United States, at New York, New York.
- c. On October 3, 2003, CANNIZZARO filed an application for naturalization as a United States citizen. On March 9, 2007, his application for naturalization was denied.

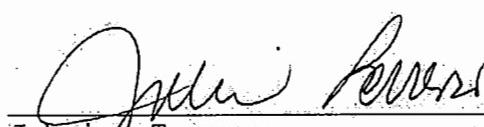
- d. Since March 9, 2007, CANNIZZARO has neither applied for United States citizenship, been naturalized as a United States citizen, nor has met the criteria for derivation of United States citizenship.
- e. On May 8, 2008, CANNIZZARO, registered to vote in North Carolina and attested under the penalty of perjury that he was a citizen of the United States.
- f. CANNIZZARO was assigned a polling place located in Wake County, North Carolina.
- g. CANNIZZARO voted in the General Election of 2016 in Wake County, North Carolina.

CONCLUSION

5. Based on the foregoing, I, Jahaira Torrens, believe that there is ample probable cause to conclude that Alessandro Cannizzaro was not a citizen of the United States at the time he voted and is thus guilty of voting by alien, in violation of Title 18, United States Code, Section 611(a).

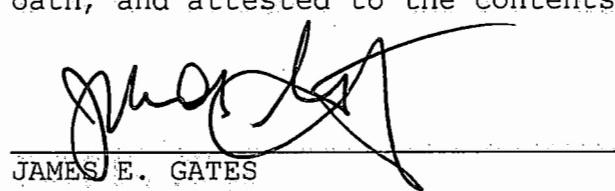
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Your affiant respectfully asks that the Court issue a warrant ordering his arrest for such crime.



Jahaira Torrens
Special Agent
Homeland Security Investigations

On this 16 day of August 2018, Special Agent Jahaira Torrens appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this Affidavit.



JAMES E. GATES
United States Magistrate Judge
Eastern District of North Carolina